

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of Oakview)
Water and Sewer Company, LLC for a Certificate)
of Convenience and Necessity Authorizing it to)
Participate in the Ownership, Maintenance,) **Case No. WA-2007-0201, et al.**
Removal, Replacement, Control and Management)
of a Water and Sewer Utility in Warren County,)
Missouri.)

ORDER DIRECTING STAFF TO FILE BIMONTHLY STATUS REPORTS

Issue Date: May 2, 2007

Effective Date: May 2, 2007

On November 28, 2006, Oakview Water and Sewer Company, LLC, filed applications with the Missouri Public Service Commission, pursuant to Section 393.170, RSMo 2000, requesting that the Commission grant it authority to provide water service and sewer service to an unincorporated portion of Warren County, Missouri. Separate cases were opened to consider certification of the water and sewer systems. Finding that the issues in the water certification case, Case No. WA-2007-0201, are clearly related to those in the sewer certification case, Case No. SA-2007-0200, the Commission issued an order dated December 4, 2006, consolidating these two cases and designating Case No. WA-2007-0201 as the lead case.

On December 28, 2006, the Commission directed its Staff to file a recommendation concerning Oakview's applications or a status report indicating the date on which it expects to file its recommendation regarding Oakview's applications on or before January 29, 2007. On January 29, 2007, Staff filed a status report indicating that the applications lacked "significant information that is required by Commission Rules ... and which the Staff needs

in order to make an appropriate and informed recommendation.” Staff indicated that it was attempting to obtain that information and would file another status report on February 20, 2007. Staff timely filed its second status report indicating it still had not received the required information from Oakview.

On April 18, 2007, the Commission directed its Staff to file a third status report indicating when it expects to file a recommendation. The Commission also instructed its Staff to file a proposed schedule for filing future status reports if Staff believes it will require an extended period of time to file its recommendation. On April 25, 2007, Staff filed a Motion for Waiver of 4 CSR 2-2.090(8)(B) and a Motion to Compel Response to Data Request.

On May 1, 2007, Staff timely filed its third status report. In that report Staff informed the Commission it had been in contact with the Company’s attorney, and is awaiting receipt of information requested by the outstanding data request. Staff advised the Commission that no set date for submission of that information has been set. The report also indicated that Staff anticipates it will take more than ninety days to file its recommendation in this docket due to the time Staff will require to issue its recommendation once the information required by the data request in question is furnished. Staff recommended that the Commission order it to file bimonthly status reports in this case until it is able to file its recommendation.

The Commission finds Staff’s recommendation to be reasonable and will order bimonthly status reports in this case until such time that a Staff recommendation can be filed. The next status report will be due on or before July 1, 2007. Since it is not clear at this time whether the Company will ultimately respond to the outstanding Staff data request, the Commission will decline to rule on Staff’s outstanding motions at this time.

The Commission will direct its Staff to include an update on the status of the outstanding data request in any subsequent status reports.

IT IS ORDERED THAT:

1. The Staff of the Commission shall file bimonthly status reports regarding Oakview Estates Water & Sewer Company, LLC's application and any outstanding data requests, beginning on July 1, 2007, until such time that a Staff recommendation can be filed unless otherwise ordered by this Commission.
2. This order shall become effective on May 2, 2007.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Cherlyn D. Voss, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 2nd day of May, 2007.